

**TOWN OF NEWSTEAD – ZONING BOARD OF APPEALS**  
**MINUTES of May 17, 2005**

Present: Bill Kaufman  
Dave Wakeman  
Corky Keppler  
Jennifer Heberling, Recording Secretary  
Rebecca Baker, Zoning Officer  
Christine Falkowski, Building Administrator

Absent: Ike Cummings

Bill called the meeting to order at 7:30 PM and led the Pledge of Allegiance to the American flag.

**Public Hearing – Area Variance – 11856 Rapids Road**

**Leslie Rosenberg**

The Clerk read the proof of publication for the public hearing to consider an area variance request for four neon signs and barber pole at 11856 Rapids Road (RA zone) owned by Leslie Rosenberg. Newstead Town Code allows one on-premise sign in connection with any business conducted on the same premises as a residential building in any zoning district. Also, temporary non-illuminated window signs and posters cannot exceed 25% of the window surface. Leslie Rosenberg has a home occupation "Leslie's Shop", where she provides haircuts, manicures, etc. Her hours of operation vary and she has no employees. The signs hang inside the top half of her double hung windows. She states that they attract walk-ins which comprise 1/3 of her total business. She has a 50' x 50' parking area for 3 – 4 cars. Leslie provided a petition with 51 signatures, eight of which are neighbors on Rapids Road. The others are most likely clients. Also, some of them are individual signatures from the same family. Bill stated that he will talk to some of the neighbors. Dave suggested that Leslie place one sign outside as allowed. Leslie stated she did not want to do that since her signs already cost her \$1,500. Is the barber pole considered a sign? We do not want to set precedence for other home occupations to put up neon signs. Bill made a motion to table this item until May 31<sup>st</sup> at 7:30PM seconded by Corky and all approved.

Dave motioned to close the hearing at 7:52PM, seconded by Corky and all approved.

**Public Hearing – Area Variance – 6541 Draper Road**

**Frank Hojnacki**

The clerk read the proof of publication for the public hearing to consider an area variance request for a 4' fence in the front yard at 6541 Draper Road owned by Frank Hojnacki. The 3-rail vinyl fence will be installed on the south and west (front) property lines only. Newstead Town Code allows a 3' maximum height for fences in the R District front yard. Rebecca stated that the new fence law soon to be adopted will allow a 4' maximum height 30' back from the ROW. Mr. Hojnacki stated he does not wish to place it 30' back; he wants it just beyond the ditch so he doesn't have to mow between the ditch and fence. Mr. Hojnacki offered that line of sight will not be blocked.

Dave motioned to close the hearing at 8:03PM, seconded by Corky and all approved.

Corky motioned to approve the 1' variance for the fence height in light of the pending new fence law that will allow a 4' maximum height 30' back from the ROW, seconded by Dave and all approved with the following condition: Vinyl 3-rail fence only to be installed.

Corky motioned to approve the minutes from February 22, 2005, seconded by Dave and all approved.

Corky motioned to adjourn the meeting at 8:30 PM, seconded by Dave and all approved.

Respectfully submitted,  
Jennifer L. Heberling  
Recording Secretary